



Andrew M. Burns  
Partner

March 8, 2021

VIA CM/ECF

Honorable P. Kevin Castel  
United States District Court Judge  
United States Courthouse  
500 Pearl Street, Courtroom 11D  
New York, NY 10007

**Re: Whitaker v. On the Right Track Systems, Inc.  
Case No. 21-cv-840 (PKC)**

Dear Judge Castel:

I represent plaintiff Jennifer Whitaker in the above-referenced case. I write in response to the pre-motion letter submitted by Mr. Levine on behalf of his client, defendant On the Right Track Systems, Inc.

Plaintiff believes there is no basis for defendant's motion and that she has stated sufficient facts to support the claims alleged in her complaint. Accordingly, plaintiff will oppose defendant's motion to dismiss. However, in the event the Court determines that plaintiff has failed to state sufficiently a claim upon which relief may be granted, plaintiff requests leave to amend.

Respectfully submitted,

A handwritten signature in blue ink that reads "Andrew Burns".

Andrew M. Burns

Within five days, file a letter stating without ambiguity whether the plaintiff wishes to amend at this time. Plaintiff has been favored with a five-page, single-spaced letter to enable her to take a position on the proposed motion.  
SO ORDERED.  
Dated: 3/8/2021

AMB/ab

cc: Peter M. Levine, Esq. (via CM/ECF)

A handwritten signature in black ink that reads "P. Kevin Castel".  
P. Kevin Castel  
United States District Judge